

MILWAUKEE COUNTY ASSESS, INFORM & MEASURE PROGRAM NARRATIVE

OVERVIEW

In 2004, the Wisconsin Court System's Planning and Policy Advisory Committee (PPAC) established a subcommittee on Alternatives to Incarceration. This subcommittee, now known as the Effective Justice Strategies Subcommittee (EJSS), has been working to explore and assess the effectiveness of policies and programs designed to improve public safety and reduce incarceration. Critical to the determination of when an individual is appropriate for diversion from a jail or prison sentence is the nature and value of information provided in advance of a sentencing.

The EJSS developed a process model titled AIM (Assess, Inform, Measure) which is intended to enhance the quality and scope of information provided to the court. This information would include the following:

- **Risk assessment** (an individual's risk to commit further crime).
- **Needs assessment** (assessing criminogenic needs – needs directly related to criminal behavior).
- **Responsivity assessment** (motivation to change, learning style, gender and cultural needs)
- **Summary of available community-based treatment programs**

In addition to providing information to the court in advance of sentencing, the other key component of the AIM model includes the development of a "feedback loop". The feedback loop provides aggregate process and outcome data to the court about AIM cases. Specifically, it will continually validate the accuracy of the risk and needs assessment process and measure the effectiveness of community-based intervention strategies.¹

2007 Wisconsin Act 20 requires that, "...By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit a plan to the office of justice assistance for conducting presentencing assessments for the purpose of providing courts information for sentencing decisions". The office of justice assistance has reported that Milwaukee County is the county with the highest violent crime rate. The plan addressed in the legislation was the AIM process.

The Milwaukee County AIM project will begin on May 1, 2009 and will provide assessment and enhanced sentencing information for the following target population: Defendants whose most serious offense at conviction is a Class F, G, H or I felony. In 2008 there were approximately 2,900 cases meeting these criteria. Approximately 1,900 assessments will be conducted during the period of May 1, 2009-December 31, 2009.

STAFFING

Milwaukee County released a Request for Proposals (RFP) from private agencies/organizations for provision of AIM assessment services. Responses are due on March 23, 2009. To protect the

¹ Erin Slattengren, Wisconsin Director of State Courts Office, AIM, Draft Concept Paper, 2006

integrity of the competitive bid process and insure the best cost proposal, the anticipated staffing plan is not included in this application but will be made available after March 23, 2009.

AIM ASSESSMENT PROCESS

Upon entry of a guilty plea or guilty finding, offenders whose most serious charge at conviction includes a Class F, G, H or I felony offense will be subject to an AIM assessment. Regardless of the defendant's custody status, the court will order the defendant to cooperate with the assessment. If the defendant is out-of-custody at the time of the plea or guilty finding, the court shall complete the AIM Assessment Order and instruct the defendant to immediately report to the AIM office for scheduling of the assessment. If the defendant is in custody at the time of plea or guilty finding, the court shall complete the AIM Assessment Order and forward it to the AIM office. AIM staff will then conduct the assessment at the place of confinement. Court administration will work with the judiciary and the AIM program vendor to establish timelines for preparation and submission of the AIM Report prior to sentencing.

The AIM process will include the following screening and assessment activities:

- Collection of basic offender demographic information using the Milwaukee County Pretrial Services Intake Screening instrument. The pretrial risk assessment tool used in Milwaukee County is designed to objectively measure a defendant's potential risk for failure to appear and rearrest during the pretrial period. This tool was developed in Racine County, Wisconsin beginning in 2005 and was validated in late 2006 by reviewing failure to appear and rearrest histories of 1,437 defendants. The validation study indicates that the instrument accurately measures risk for pretrial failure to appear and rearrest, i.e., the higher the risk score, and the more likely a defendant is to miss a court appearance or be charged with a new offense.
- Review and summary of current charges and criminal history using available databases such as CJIS, Consolidated Court Automation Program (CCAP), Milwaukee County Pretrial Services Database and any other state or federal crime information databases that may be made available. Milwaukee County Chief Judge Jeffrey Kremers made a formal request to the Wisconsin Department of Justice for AIM staff access to the state's criminal history repository. Access to this information is essential to the accuracy, reliability and integrity of risk assessments conducted in the AIM program.
- A review and summary of prior community-based supervision occurrences, whether pretrial or probation/extended supervision. This will require the development of working agreements or memorandums of understanding allowing for the sharing of information between AIM staff, the Department of Corrections and Justice 2000, Inc.
- Use of a validated risk and needs tool. The Milwaukee County AIM Program will use the electronic version of the LSI-/R. The LSI-R assessment is a quantitative survey of offender attributes and offender situations relevant for making decisions about levels of supervision and treatment. LSI-R scores are proven to help predict parole outcome, success in correctional halfway houses, institutional misconduct and recidivism. The instrument contains the following scales and is 54 questions in length: criminal history,

education/employment, financial, family/marital, accommodation, leisure/recreation, companions, alcohol/drug problems, emotional/personal and attitudes/orientation.

- For offenders with identified substance use/abuse histories, use of a validated AODA screening or assessment tool such as the Addiction Severity Index (ASI). In addition to the above instruments, Milwaukee County proposes to enhance the AIM process by utilizing the Addiction Severity Index (ASI), a validated AODA assessment instrument. The ASI is the most widely used assessment tool in the field of addiction and has been validated several times. The ASI uses a scale of 0 to 9 to measure the severity of a person's problems across seven domains including medical, employment/support, drug and alcohol use, legal, family history, family/social relationships, and psychiatric problems.
- Use of a responsivity or readiness for change assessment tool such as the Stages of Change Readiness and Treatment Eagerness Scale (SOCRATES). Similar to the University of Rhode Island Change Assessment Scale (URICA), the Stages of Change Readiness and Treatment Eagerness Scale (SOCRATES) measures a person's level of readiness to change with items specifically focused on problem drinkers. Both tools are self-administered, pencil-and-paper formats and are now commonly used to evaluate readiness for change in persons considering entering treatment and to prepare treatment plans for those actually entering substance abuse treatment. The SOCRATES has been subject to reliability and validity studies and has been found to be a predictor of treatment compliance as well as treatment outcomes.
- Review and summary of available community-based programming that will address the offender's identified risk and needs. The AIM project will utilize three existing databases to access information on, and availability of, community-based programming that will address a defendant's identified needs in order to reduce risk. The databases are the State Public Defender's "Road to Recovery Database", the Benedict Center's "Sentencing Advocacy in Milwaukee" (SAM) and the Milwaukee County Pretrial Services Database.

SAM is a searchable, web-based clearinghouse of available community programs. The database may be searched by program type, services provided, treatment offered, target population served, agency qualifications and/or languages spoken.

DATA COLLECTION

All information collected during the AIM intake and assessment process shall be entered into the Milwaukee County Pretrial Services Database. The data collection protocol will insure that:

- The AIM Report may be generated and submitted to the court in a complete and timely manner;
- All data and program activity information required by the State Office of Justice Assistance is collected and reported;
- Data required for program evaluation and development of the program feedback loop is complete and accurate.

Milwaukee County will work with CCAP and a contracted AIM Technical Data Specialist on the development of an interface between the statewide AIM Database and the Milwaukee County

All information gathered during the AIM intake and assessment process will be summarized and presented to the court, district attorney and defense attorney prior to the scheduled sentencing hearing. The timeframe for delivery of this report to the parties will be established in consultation with the judiciary. The information will be presented using the AIM Report. In order to insure that the AIM Report meets the needs of the judiciary, the contents and format of this document may be modified as needed in consultation with, and approval of the Office of the Chief Judge.

DEVELOPMENT OF JUDICIAL FEEDBACK LOOP/PROGRAM EVALUATION

The AIM Coordinator will work with the Office of the Chief Judge and program evaluator to develop a program evaluation plan and judicial feedback loop. The feedback loop is designed to provide judges with information relative to the effectiveness of community-based interventions and offender recidivism rates. Develop of the feedback loop will require the following:

- Establishing a method for obtaining continuous feedback and comments from judges to evaluate the value and usefulness of the assessment information and if necessary, to make program changes to insure the accuracy and effectiveness of the assessment process;
- Collect feedback from involved community partners such as the Department of Corrections-probation and extended supervision, and other sources to document and track community-based treatment and supervision intervention outcomes and measure recidivism.